

on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant submits the following explanations:

1. The disclosure on pages 1-2 of the present specification and the submission of an English language abstract for JP-A-2001-293081 constitutes a concise statement of relevance of JP-A-2001-293081.
2. The disclosure on page 2 of the present specification and the submission of an English language abstract for JP-A-7-97401 constitutes a concise statement of relevance of JP-A-7-97401.
3. The disclosure on page 2 of the present specification and the submission of an English language abstract for JP-A-60-130601 constitutes a concise statement of relevance of JP-A-60-130601.
4. The disclosure on page 5 of the present specification and the submission of an English language abstract for JP-A-63-123392 constitutes a concise statement of relevance of JP-A-63-123392.
5. The disclosure on page 5 of the present specification and the submission of an English language abstract for JP-A-2-234689 constitutes a concise statement of relevance of JP-A-2-234689.

## INFORMATION DISCLOSURE STATEMENT

U.S. Application No.: 10/577,154

Attorney Docket No. Q94633

6. The indication in the International Search Report of the degree of relevance found by the foreign patent office and the submission of an English language abstract for JP-A-6-72893 constitutes a concise statement of relevance of JP-A-6-72893.

7. The indication in the International Search Report of the degree of relevance found by the foreign patent office and the submission of an English language abstract for JP-A-5-236951 constitutes a concise statement of relevance of JP-A-5-236951.

8. The indication in the International Search Report of the degree of relevance found by the foreign patent office and the submission of an English language abstract for JP-A-2000-212204 constitutes a concise statement of relevance of JP-A-2000-212204.

9. The indication in the International Search Report of the degree of relevance found by the foreign patent office and the submission of an English language abstract for JP-A-9-59303 constitutes a concise statement of relevance of JP-A-9-59303.

10. The indication in the International Search Report of the degree of relevance found by the foreign patent office for JP-A-2002-529550 and the submission of corresponding international patent application WO 00/27887 constitutes a concise statement of relevance of JP-A-2002-529550.

11. The indication in the International Search Report of the degree of relevance found by the foreign patent office for JP-A-11-509256 and the submission of corresponding international patent application WO 97/04012 constitutes a concise statement of relevance of JP-A-11-509256.

INFORMATION DISCLOSURE STATEMENT

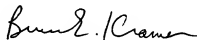
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The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Bruce E. Kramer  
Registration No. 33,725

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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CUSTOMER NUMBER

Date: February 15, 2007

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| Sheet | 1 | of | 2 |
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|------------------------|-------------------|
| Application Number     | 10/577,154        |
| Confirmation Number    | 1395              |
| Filing Date            | April 26, 2006    |
| First Named Inventor   | Eiichi KITAZONO   |
| Art Unit               | Not yet assigned. |
| Examiner Name          | Not yet assigned. |
| Attorney Docket Number | Q94633            |

| U.S. PATENT DOCUMENTS |                       |                 |                                      |                                |   |
|-----------------------|-----------------------|-----------------|--------------------------------------|--------------------------------|---|
| Examiner Initials*    | Cite No. <sup>1</sup> | Document Number |                                      | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of Cited Document |
|                       |                       | Number          | Kind Code <sup>1</sup><br>(if known) |                                |   |
|                       |                       | US 5,030,733    |                                      | 08-17-1000                     | Valentini et al.                                |
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| FOREIGN PATENT DOCUMENTS |                       |                           |                     |                                      |                                |   |                          |
|--------------------------|-----------------------|---------------------------|---------------------|--------------------------------------|--------------------------------|---|--------------------------|
| Examiner Initials*       | Cite No. <sup>1</sup> | Foreign Patent Document   |                     |                                      | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Translation <sup>6</sup> |
|                          |                       | Country Code <sup>3</sup> | Number <sup>4</sup> | Kind Code <sup>5</sup><br>(if known) |                                |   |                          |
| CONSIDERED:              | B.S./                 | JP                        | 2001-293081         | A                                    | 10-23-2001                     | OCHI MITSUO, JAPAN TISSUE ENGINEERING:KK        | ABSTRACT                 |
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| CONSIDERED:              | B.S./                 | JP                        | 60-130601           | A                                    | 07-12-1985                     | BIOMATRIX INC.                                  | ABSTRACT                 |
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| NON PATENT LITERATURE DOCUMENTS |                       |  |                          |
|---------------------------------|-----------------------|--|--------------------------|
| Examiner Initials*              | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.   | Translation <sup>6</sup> |
|                                 |                       | MATS BRITTEBERG, M.D., ANDERS LINDAHL, M.D., PH.D., ANDERS NILSSON, M.D., PH.D., CLAES ÖHLSSON M.D., PH.D., OLLE ISAKSSON, M.D., PH.D., AND LARS PETERSON, M.D., PH.D. Treatment of Deep Cartilage Defects in the Knee with Autologous Chondrocyte Transplantation, The New England Journal of Medicine, October 6, 1994, volume 331, Number 14, pages 889-895   |                          |
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| Examiner Signature | /Bahar Schmidtman/ |
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| Date Considered | 04/06/2009 |
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<sup>1</sup> Applicant's unique citation designation number(s). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or follow the hyperlink from the title of the document to the intranet. <sup>3</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to indicate here if English language; translation is attached.

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| First Named Inventor   | Eiichi KITAZONO   |
| Art Unit               | Not yet assigned. |
| Examiner Name          | Not yet assigned. |
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|                       |                       | Number          | Kind Code <sup>2</sup><br>(if known) |                                |   |
|                       |                       | US              |                                      |                                |   |
|                       |                       | US              |                                      |                                |   |
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|                       |                       | US              |                                      |                                |   |
|                       |                       | US              |                                      |                                |   |

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04/06/2009

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or follow the hyperlink from the title of the document to the intranet. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to indicate here if English language Translation is attached.